



**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petitioner's pleading, which the court construes as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is hereby **DISMISSED** as successive; petitioner's request for sentence reduction pursuant to 18 U.S.C. § 3582(c) is hereby **DENIED**, and this action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 15th day of November, 2006.


James C. Tung
Senior United States District Judge